

District of the Virgin Islands]
Division of St. Thomas and St. John] :ss

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Juan Carlos Molina, being first duly sworn, do depose and states:

1. I am an officer of the Drug Enforcement Administration within the meaning of Title 21, United States Code, Section 878(a). As such, I am empowered to conduct criminal investigations, arrests, searches, seizures, and any other law enforcement duties in furtherance of enforcing Title 21, United States Code. I have been a Special Agent with the Drug Enforcement Administration (DEA) for over 3 years. As a Special Agent I have received 21 weeks of training at the DEA Academy, located in Quantico, Virginia, where I became familiar with how controlled substances are consumed, manufactured, packaged, marketed and distributed. Prior to this, I served as a Police Officer in Des Plaines, Illinois for over 4 years. I am currently assigned to investigate drug trafficking organizations as a member of the High Intensity Drug Trafficking Team in Ponce, Puerto Rico, which is comprised of law enforcement officers from several State and local agencies. During my law enforcement career, I have participated in several narcotic investigations of alleged criminal violations of the Controlled Substances Act laws. I have received substantive advanced training pertaining to the investigation of various crimes which arise from narcotics trafficking. I have participated in investigations involving the purchase of controlled substances from suspected narcotics traffickers using both undercover operatives and confidential sources. I have also conducted numerous surveillance operations in connection with narcotics investigations. Through the course of these investigations, I have personally interviewed confidential sources and other persons involved in the distribution of illegal narcotics. I have also interviewed persons arrested for the distribution of illegal narcotics. Through my experience as a

Special Agent with the DEA, my participation in the investigation of both domestic and international narcotics trafficking organizations, my conversations with known narcotics traffickers, my conversations with other Special Agents of the DEA familiar with narcotics trafficking and money laundering, and my training and experience, I have become familiar with the *modus operandi* of drug traffickers.

2. This Affidavit is submitted for the limited purposes of establishing probable cause in support of a Criminal Complaint against Pedro RAMOS-Guerra and Carlos Alberto DEVAS for committing the following violations of federal laws: violation of Title 46, United State Code, Sections 70502(c)(1)(A), 70503(a)(1), 70504(b)(2), & 70506(a), Possession of a Controlled Substance on Board a Vessel Subject to the Jurisdiction of the United States; violation of Title 46, United State Code, Sections, 70502(c)(1)(A), 70503(a)(1), 70504(b)(2), & 70506(a) & (b), Conspiracy to Possess a Controlled Substance on Board a Vessel Subject to the Jurisdiction of the United States; and violation of Title 46, United State Code, Sections 70502(c)(1)(A), 70503(a)(2), 70504(b)(2), & 70506(a), Destroying, or Attempting or Conspiring to Destroy, Property Subject to Forfeiture Under Section 511(a) of the Comprehensive Drug Abuse Prevention and Control Act of 1970. As such, this Affidavit does not contain the details of every aspect of this investigation. Furthermore, this Affidavit is based on my personal knowledge as well as information obtained from other law enforcement personnel.

3. On October 24, 2019, at approximately 9:27 p.m., while on routine patrol, a United States Customs and Border Protection air unit detected a Go-Fast vessel (GFV) approximately 75 nautical miles (NM) south of Cabo Rojo, Puerto Rico, in international waters, which was heading on a northeasterly course at 12 knots. The GFV, which was suspected to be engaged in smuggling activity, was approximately 25 feet in length and white in color, with an open hull construction

and 2 outboard engines. The GFV displaying no indicia of nationality. Two persons were on board the GFV.

4. United States Coast Guard Cutter Diligence (DIL) was tasked to intercept the GFV. DIL reported that they had visual of the GFV at approximately 11:28 p.m. DIL launched its small boat to approach the GFV. The DIL small boat approached intercept with the GFV at approximately 12:50 a.m., energized their lights and loud hailer, and ordered the vessel to heave to.

5. The GFV did not comply. The DIL small boat visually observed persons on the GFV jettisoning bales at approximately 12:53 a.m. The DIL small boat subsequently fired warning shots. The GFV became dead in the water 33 NM south of Cabo Rojo, Puerto Rico, and the DIL small boat established positive control.

6. The persons on board pulled plugs onboard the vessel with the intent to scuttle the vessel. The vessel began to take on water and the DIL boarding team removed Pedro RAMOS-Guerra and Carlos Alberto DEVAS from the vessel for their safety.

7. Both Pedro RAMOS-Guerra and Carlos Alberto DEVAS claimed to be the master of the vessel. Neither individual made a verbal claim of nationality for the vessel.

8. At approximately 2:07 a.m., the GFV completely submerged. DIL recovered 10 bales. Two NIK Tests on the bales yielded positive results for the presence of cocaine. Approximately 500 kilograms of cocaine was recovered.

9. Based on the foregoing facts, I submit that probable cause exists to believe that the defendants, Pedro RAMOS-Guerra and Carlos Alberto DEVAS, while on board a vessel subject to the jurisdiction of the United States, did commit the following violations of federal laws: violation of Title 46, United State Code, Sections 70502(c)(1)(A), 70503(a)(1), 70504(b)(2), &

70506(a), Possession of a Controlled Substance on Board a Vessel Subject to the Jurisdiction of the United States; violation of Title 46, United State Code, Sections, 70502(c)(1)(A), 70503(a)(1), 70504(b)(2), & 70506(a) & (b), Conspiracy to Possess a Controlled Substance on Board a Vessel Subject to the Jurisdiction of the United States; and violation of Title 46, United State Code, Sections 70502(c)(1)(A), 70503(a)(2), 70504(b)(2), & 70506(a), Destroying, or Attempting to or Conspiring to Destroy, Property Subject to Forfeiture Under Section 511(a) of the Comprehensive Drug Abuse Prevention and Control Act of 1970.

FURTHER YOUR AFFIANT SAYETH NAUGHT.


Juan Carlos Molina, Special Agent
Drug Enforcement Administration/HIDTA

Subscribed and sworn to before me
this 30th day of October, 2019.


RUTH MILLER
UNITED STATES MAGISTRATE JUDGE